

FILED  
Clerk  
District Court

MAR 20 2014

for the Northern Mariana Islands  
By           M.            
(Deputy Clerk)

MINUTES OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

March 20, 2014  
1:35 p.m.

CV 13-0031

**WILLIAM A. TRACY -v- AA ENTERPRISES INC., et al.**

PRESENT: HON. RAMONA V. MANGLONA, CHIEF JUDGE PRESIDING  
PATRICIA GARSHAK, COURT REPORTER  
TINA MATSUNAGA, COURTROOM DEPUTY  
RAMON QUICHOCHO, ATTORNEY FOR PLAINTIFF  
MARK SCOGGINS, ATTORNEY FOR DEFENDANTS MING YANG  
LINN ASPER, ATTORNEY FOR DEFENDANT BUFTON  
SAMUEL MOK, ATTORNEY FOR DEFENDANT DKK INC. & P&A CORP.

PROCEEDINGS: MOTION TO DISMISS

Attorney Ramon Quichocho appeared on behalf of the Plaintiff. Attorney Mark Scoggins appeared on behalf of Defendants Ming Yang Corporation dba Ming Yang Market and New Ming Yang Market. Attorney Linn Asper appeared on behalf of Defendant Donald Bufton dba Round II. Attorney Samuel Mok appeared on behalf of DKK Inc. dba D.K. Poker and P&A Corporation dba P&A Laundry.

Attorney Quichocho stated that he had filed the Notice of Suggestion of Death, ECF No. [31], and that he would be seeking the Court's guidance to dismiss the action or wait out the 90 days under Rule 25. Attorney Quichocho stated that the Court could dismiss the action under Rule 41 or Rule 25, under its discretion. Attorneys Scoggins, Asper, and Mok asked that the Court dismiss the case with prejudice.

Attorney Scoggins raised the issue regarding attorney's fees awarded at the last hearing and requested for the opportunity to submit the billings and have Attorney Quichocho review those billings. Attorney Scoggins also asked that the Court retain jurisdiction regarding this matter and that counsel be allowed to bill for this hearing as well. Court ordered that counsel bill for one hour for today's proceeding.

Court, after hearing from all counsel, granted Plaintiff's oral motion to dismiss this action without prejudice. Court stated that it would be retaining jurisdiction in this action, solely to enforce the prior Court's order on the sanctions, and that once this is resolved, the case shall be fully closed. Based on the dismissal of this action, Defendants Ming Yang Corporation and Donald Bufton's Motion to Dismiss, ECF No. [8], is hereby deemed moot.

Adjourned 2:10 p.m.

/s/Tina P. Matsunaga, Courtroom Deputy

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**CERTIFICATE OF OFFICIAL COURT RECORDER**

I, Tina P. Matsunaga, certify that I am a duly appointed Courtroom Deputy for the United States District Court for the Northern Mariana Islands, and I was present in the courtroom of this court on March 20, 2014. On this date during the regular course of my profession, I made electronic sound recording(s) of the proceedings, for the above entitled case. I have played back the recording and certify that it is a true and correct record of the proceedings, that is sufficiently intelligible when played on the FTR Touch, that it can be transcribed without undue difficulty, and that I have filed the original recording with the Clerk of Court, as required by 28 U.S.C. § 753(b).

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